

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DAVID EDWARD HARMON,)	
AIS #220293)	
)	
Plaintiff,)	CASE NO. 2:18-cv-506-WKW-SRW
v.)	
)	
SGT. DEVLON WILLIAMS and)	
CO LARRY MANAGAN,)	
)	
Defendants.)	

DEFENDANTS' SECOND MOTION FOR ADDITIONAL TIME

COMES NOW Defendants Sgt. Devlon Williams and Officer Larry Managan and respectfully request this Honorable Court to extend the deadline to answer and provide a written report for an additional 30 days until October 21, 2018, and in support thereof states as follows:

1. On May 17, 2018, inmate David Edward Harmon filed a complaint under 42 U.S.C. § 1983 for violation of his civil rights while incarcerated.¹ (Doc 1).
2. On June 12, 2018, the Court entered an order that the defendants should file their answer and a written report containing affidavits and other statements or evidence regarding inmate Harmon's claim in this case by July 23, 2018. (Doc. 8).
3. On July 23, 2018, the Attorney General, who had appeared for the defendants, filed a motion for a 30-day extension because the Attorney General had

¹ The plaintiff provided information regarding his request to proceed *in forma pauperis* on June 11, 2018. (Doc. 6).

discovered a potential conflict and needed to refer the case to outside counsel for representation of the defendants. (Doc. 11).

4. On July 24, 2018, the Court issued an order granting defendants' motion for an extension of time to file their answer and report by August 22, 2018. (Doc. 13).

5. Undersigned counsel filed a notice of appearance as counsel for defendants Williams and Managan on July 24, 2018. (Doc. 14).

6. On August 21, 2018, undersigned counsel for defendants Williams and Manage filed a motion for extension of time to September 21, 2018, (Doc. 15) as additional time was needed time to investigate the allegations and comply with the Court's July 24, 2018 order. (Doc. 13).

7. On August 23, 2018, the Court issued an order granting defendants' motion for an extension of time to file their answer and report by September 21, 2018. (Doc. 17).

8. Counsel for defendants Williams and Managan needs additional time to continue investigating the allegations and comply with the Court's July 24, 2018 order. (Doc. 13). Inmate Harmon alleges that he experienced excessive force, which was witnessed by several others, and caused him personal injuries. Counsel needs additional time to continue investigating the facts and circumstances to provide a report responsive to the Court's order as to the inmate's allegations against these defendants. In addition, counsel is seeking guidance and confirmation as to his representation of both defendants and that there is no conflict or reason that would impede a joint representation of these defendants.

9. This request is made in good faith and would not cause any prejudice.

WHEREFORE, Defendants Williams and Managan request the Court to extend the deadline to answer and provide a written report until October 21, 2018.

Respectfully submitted,

/s/ Steven K. Herndon
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(ASB-0093-O74S)
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CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of September, 2018 I have served a copy of the foregoing on counsel for all parties by using the CM/ECF system or by U.S. mail:

PLAINTIFF *PRO SE*

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/s/ Steven K. Herndon